



AGENDA

TRINITY CITY PLANNING & ZONING BOARD MEETING

November 22, 2005
7:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Approval of Minutes (October 25, 2005)
5. Public Comments Section
6. Rezoning Request #Z05-06 (*Public Hearing*)
 - a. Map Amendment
 - b. Text Amendment
7. 2006 Calendar Date
8. Reschedule December Meeting
9. Comments from the Board
10. Comments from Staff
11. Adjourn



TRINITY CITY PLANNING & ZONING BOARD MEETING

November 22, 2005
7:00 pm

The Trinity Planning Board held their November 22, 2005 Regular Planning and Zoning Board Meeting at Trinity Memorial United Methodist Church. A quorum was present.

PLANNING BOARD MEMBERS PRESENT: Chairman J.R. Ewings; Planning Board members Linda Gant, Vernel Gibson, Buddy Maness, Richard McNabb, and Robbie Sikes.

PLANNING BOARD MEMBERS ABSENT: Melvin Patterson & Jim Wall

OTHERS PRESENT: City Manager, Ann Bailie; Planning/Zoning Administrator and Code Enforcement Officer, Adam Stumb; City Clerk/FO Debbie Hinson; Council member, Talbert, and other interested parties.

ITEM I. Call to Order

Chairman Ewings called the November 22, 2005 Meeting to order at 7:00 p.m.

ITEM II. Pledge of Allegiance

Chairman Ewings led the Pledge of Allegiance.

ITEM III. Invocation

Planning Board member Vernel Gibson gave the invocation.

ITEM IV. Approval of Minutes (October 25, 2005)

Chairman Ewings called for any changes or corrections to the October 25, 2005 Minutes.

Planning Member Gantt made a motion to approve the minutes as written, seconded by Planning member Sikes and approved unanimously by all Planning members present.

ITEM V. Public Comments Section

Chairman Ewings opened the meeting to any public comments. Hearing none, Chairman Ewings continued with the next item.

ITEM VI. Rezoning Request #Z05-06 (Public Hearing)

- (a) Map Amendment
- (b) Text Amendment

Chairman Ewings opened the meeting and explained the procedure for the Public Hearing to the audience as well as reading the Notice of Public Hearing to the audience. After reading the Public Notice, Chairman Ewings called on Mr. Stumb, Planning Administrator to brief Planning Board members prior to the opening of the Public Hearing.

Mr. Stumb referred to a current zoning map that indicated the location of the property for this request. This property is located on Grove Street and consists of lot numbers 11 through 19. This property is owned by James Baker. The current zoning for this property is R-40. The proposed zoning is M1 or Heavy Industrial. The Long Range Plan calls for medium density residential development. The property is

currently vacant at this time, and the request for rezoning is to locate an impound yard at this site. Mr. Stumb reviewed the permitted uses allowed if this request were approved under M1 as listed in the packet. Mr. Stumb advised members that the immediate surrounding properties were vacant and that currently there was a junkyard located to the south of this property. There is a significant number of homes in this neighborhood even though they do not directly adjoin this property. Mr. Stumb reviewed pictures of properties surrounding the proposed rezoning site property.

At this time Chairman Ewings opened the Public Hearing to anyone who wished to speak in favor of the request.

Speaking for the Request:

Yvonne and James Baker, 2746 Eagle Nest Court, Trinity, NC; Ms. Baker advised members that she and her husband acquired this property in April, 2005. We currently own a salvage yard and repair business in the City of Thomasville and wanted to use this property as an overflow area to park impounded cars that are towed in. We tow abandoned vehicles.

Mr. Baker stated that this area would be used to park impounded cars that were towed in. We will fence in this property and install screening (blind it) as well as doing some improvements to the street.

Ms. Baker stated it was their understanding this property was used for this in the past, although it may have been used illegally for this purpose. There are currently some vehicles located on this property left behind from the previous owner. We were told that this would be under a grandfather clause process when we purchased this property by the previous owner but did not check into this enough until after we purchased the property to realize that we must go through this process.

Mr. Baker stated that since he purchased the property in April he had moved trash that has been dumped on this property three (3) times. We would have someone at this location to protect the vehicles stored on this site. We would be a good neighbor.

With no one else speaking for the request, Chairman Ewings called for anyone who wished to speak against the request.

Speaking Against the Request:

Patty and Larry Furr, 5208 Osborn Street, Trinity, NC; Ms. Furr stated that she and her husband owned the 6 acres in this area that ran into Lake Darr Road. The only entrance to our property is by this road and by passing this property in question. If we should ever want to sell this property I do not believe we could sell our property that would be in front of this impound yard. We do not want an impound yard in front of our property.

Member Sikes asked Ms. Furr to point out her property location on the map.

Mr. Furr stated he agreed with his wife's comments concerning the location and ownership of the 6 acres they currently own in this area. He also discussed the two (2) junk yards located in this area. He discussed how this proposed use along with what was already located in the surrounding area would only devalue his property further and would only make the neighborhood look worse than it already does.

Lib Hutchby, 5163 Darr Rd, Trinity: Ms. Hutchby advised members that she currently resided in Cary, North Carolina but that she owned the property at 5163 Darr Road currently listed as deferred farm property. I am speaking against this rezoning primarily because it is a wonderful residential community. I see absolutely no point in putting Heavy Manufacturing in a place where children are riding their bicycles or mothers pushing their babies. While I appreciate the Bakers need for another place I certainly hope that you will find a different place instead of right in the middle of a community that is residential and has been so for years.

Ms. Hutchby asked if there was another meeting on December 20, 2005 and if residents would be allowed to speak at that meeting as well concerning this request. Chairman Ewings advised Ms. Hutchby that the

City Council would hear this request on December 20, 2005 and that residents would be given the opportunity to speak at that meeting as well.

Member Sikes asked Ms. Hutchby to point out her parcel of property. Mr. Stumb assisted Ms. Hutchby in identifying her property for members on the map.

Iris Ellis, 5071 Warren Lane, Trinity:-Ms. Ellis discussed the junk yard that was located behind her property when she moved to this location and the trees that she planted that have now grown to serve as a buffer between her residence and that junk yard. I can go onto my front porch and see the property that is being discussed. I do not want to see parked cars at this location. She was correct when she stated there were parked cars on this property before. They were illegally parked and the Archdale City Council has had them hauled off as fast as they could. This area also serves as a place for dumping trash. We have everything dumped down there. She discussed how hard she had worked in an effort to get this area cleaned up and asked the Planning Board not to put something else in this area that would look like what was at this location earlier. As stated by the other lady, we have small children that ride bicycles on these roads. Our land is already devalued and this would just cause it to lose more value.

Jackie Spikes, 508 Ellwood Drive, High Point; I have property on Lake Darr Road and I am planning on building a home here. She asked if this property was zoned industrial if changes or improvements could be made to her property. There was discussion between Ms. Spikes and Chairman Ewings concerning Ms. Spikes ability to make changes to her property. Ms. Spikes was advised that changes would be allowed to her property; however this request was to rezone property in this area to Heavy Manufacturing.

Ms. Spikes stated in her opinion to allow this rezoning would bring the value of the property in this area down. That is why I am against the rezoning of this property to Heavy Manufacturing.

Comments from Council members present at this meeting:

Council member Miles Talbert asked Chairman Ewings to be allowed to speak on this issue. Council member Talbert stated that this request did not appear to be in the nature of the neighborhood and will probably have a problem being rezoned. Heavy Manufacturing includes a lot of uses not just hauling in cars and is not in the nature of the neighborhood. My thinking is that this is probably not in line with what we would approve.

Planning member Sikes asked if this was Council member Talbert's opinion.

Council member Talbert stated this was his opinion.

Chairman Ewings called for further comments. Hearing none, Chairman Ewings closed the Public Hearing and turned the request over to Planning/Zoning members for discussion and or action.

Planning Member McNabb asked if the current land use plan were for residential development. Mr. Stumb advised members the current land use plan showed residential uses. Member Maness asked how far away the lake was from the property. Mr. Stumb advised members the actual Lake was located on the property of the existing junk yard and was only a short distance from the Bakers property line. Board members discussed the length of time the lake had been at this location. Also discussed were the fluids that may leak from the cars parked on this property as well as from the current junk yard and the effects of runoff from these properties draining into the water sources that affected our Watershed. Also discussed by a member of the audience and Planning members were tires currently disposed of illegally in a gully near the junk yard that provided a breeding ground for mosquitoes and how this affected the neighborhood.

With no other comments, Chairman Ewings called for a motion on this request.

Planning member Sikes made a motion to decline this due to the fact that this is a residential area. The motion was seconded by Planning member Gant and approved (6 to 0) unanimously by all Planning members present to decline the request for rezoning.

ITEM VII. 2006 Calendar Date

Chairman Ewings opened this item and asked Mr. Stumb to discuss this with Planning Board members.

Mr. Stumb discussed two (2) options available to the Planning Board. Option One (1) is to keep the current Meeting Schedule of the fourth (4th) Tuesday of each month. Option two (2) is to change the meeting date to the first (1st) Tuesday of each month. Mr. Stumb advised members by choosing option two (2) and changing the meeting date to the first (1st) Tuesday of each month would allow requests such as rezoning requests to be completed sooner than the current process. Under the current system it takes approximately two (2) months to get this completed.

Chairman Ewings reviewed the request with Planning members concerning the possibility of changing the meeting date of the Planning/Zoning Board from the fourth (4th) Tuesday to the first (1st) Tuesday of each month.

After a brief discussion, *Member Gibson made a motion to change the meeting schedule of the Planning/Zoning Board from the fourth (4th) Tuesday to the first (1st) Tuesday of each month. The motion was seconded by member McNabb and approved unanimously by all Planning members present. Staff is to work out the details with the Utilities Committee concerning the change of date.*

ITEM VIII. Reschedule December Meeting

Chairman Ewings opened this item and turned the discussion of this item over to Mr. Stumb. Mr. Stumb advised members that the regularly scheduled meeting in December falls on a holiday when the City Hall offices will be closed. He asked members if they would like to reschedule the December meeting.

After a brief discussion, *Planning member Sikes made a motion to cancel the Regularly Scheduled meeting for December 2005, seconded by Planning member Gibson, and approved unanimously by all Planning members present.*

ITEM IX. Comments from the Board

Chairman Ewings explained his reasons for not commenting earlier on the rezoning request when asked by an audience member. He explained that he could not say anything during the meeting prior to the Public Hearing or during the Regular Meeting concerning the request in question. However, it was Chairman Ewings' feelings that when he saw this request that he did not believe this was the right use for this property. Mr. Ewings and members discussed the current junk yard in Trinity and the possibility of making changes in regards to this business concerning how runoff was addressed since this business was grandfathered regarding the zoning at the current location.

Chairman Ewings introduced the new Mayor-Elect Fran Andrews and asked if Ms. Andrews would like to make any comments.

Mayor-Elect Andrews stated that while she was not familiar with this area she planned to check it out. She also stated that she was glad this request was denied by the Planning/Zoning Board. As stated by the members, we really need to work on how this city looks and get the city cleaned up. The EPA may be the group that needs to be contacted in regards to the pollutants that may be entering our water system and who the City needs to contact in regards to getting this cleaned up.

ITEM X. Comments from the Staff

Chairman Ewings called for comments from the staff.

Manager Bailie discussed the following items:

Reappointment Forms

Manager Bailie advised Board members that were up for reappointment (Mr. McNabb, Mr. Ewings, and Mr. Patterson) that she had placed the reappointment forms at their places and advised members that if they would like to be considered for reappointment to this Board these forms must be turned in to City Hall no later than 5:00 pm, December 12, 2005.

Citywide Community Meeting on the Land Use Plan

Manager Bailie advised members there would be a City wide meeting on the development of the Land Use Plan on Thursday December 8, 2005 at Trinity Memorial United Methodist Church Fellowship Hall. Manager Bailie encouraged all members to attend and to bring their neighbors. She advised members of the audience that a flyer had been provided and was located at the table in the back. Trinity is in the process of preparing a Land Use Plan for future development in the City and this is an opportunity for all residents to come and to let the city officials know how you want the city to grow.

ITEM XI. Adjourn

With no further business to discuss, Chairman Ewings called for a motion to adjourn the November 22, 2005 meeting.

Member McNabb made a motion to adjourn the November 22, 2005 meeting, seconded by Planning member Maness, and approved unanimously by all Planning/Zoning members present.

These minutes were approved by the Planning/Zoning Board at their Regular Meeting held on January 24, 2006 upon motion by Member Gibson, seconded by Member Ewings and approved unanimously by all Planning Members Present.

Robbie Sikes, Chairman

Debbie Hinson, City Clerk

Date

Date